

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LEONARD WINFREY,

Plaintiff,

v.

BRITTANY, et al.,

Defendants.

Case No.: 3:24-cv-00104-LRH-CSD

ORDER

On March 1, 2024, pro se plaintiff Leonard Winfrey, an inmate in the custody of the Nevada Department of Corrections who is housed at Northern Nevada Correctional Center ("NNCC"), submitted two applications to proceed *in forma pauperis* by an inmate at NNCC and copies of his financial statement for the previous six-month period. (ECF Nos. 1, 1-1). But Plaintiff did not submit a complaint.

"A civil action is commenced by filing a complaint with the court." Fed. R. Civ. P. 3. "A civil-rights complaint filed by a person who is not represented by an attorney must be submitted on the form provided by this court or must be legible and contain substantially all the information called for by the court's form." Nev. LSR 2-1. And the complaint must be signed personally by the unrepresented party. Fed. R. Civ. P. 11(a).

If Plaintiff wants to proceed with this action, Plaintiff must file a complaint that complies with LSR 2-1 and is personally signed. And Plaintiff should file the complaint on this Court's approved civil-rights form. Alternatively, if Plaintiff did not intend to initiate this action but, rather, to file an application to proceed *in forma pauperis* in a different action, then he should file a notice under Federal Rule of Civil Procedure 41(a)(1)(A)(i) voluntarily dismissing this action.

It is therefore ordered that Plaintiff has **until April 8, 2024**, to submit a signed complaint to this Court.

Plaintiff is cautioned that this action will be subject to dismissal without prejudice if Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff

1 to refile the case with the Court, under a new case number, when Plaintiff can file a signed
2 complaint.

3 The Clerk of the Court is directed to send Plaintiff Leonard Winfrey the approved
4 form for filing a 42 U.S.C. § 1983 complaint and instructions for the same.

5 DATED THIS 8th day of March 2024.

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9 UNITED STATES MAGISTRATE JUDGE
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